

Court of Appeals, State of Michigan

ORDER

HighPoint Electric Inc v Carrie L Blauwkamp

Docket No. 356387

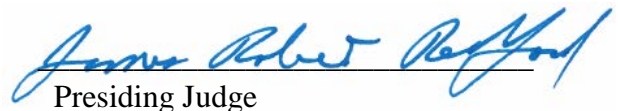
LC No. 20-063343-CK

James Robert Redford
Presiding Judge

David H. Sawyer

Jane M. Beckering
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting leave to appeal, the Court VACATES the February 5, 2021 order denying defendants' motion to change venue and REMANDS this matter to Allegan Circuit Court for reconsideration. Venue is routinely determined before the completion of "meaningful discovery," and there was no cogent reason why the trial court in this case could not have selected a "fair and convenient" location for trial, in accordance with Michigan's statutes and court rules, on the basis of the facts and evidence presented by the parties. See *Gross v Gen Motors Corp*, 448 Mich 147, 155-156; 528 NW2d 707 (1995). On remand, the trial court shall determine, before extensive discovery is conducted, whether plaintiff has carried its burden of establishing the propriety of its venue choice under MCL 600.1629. See *Gross*, 448 Mich at 155-156; *Marsh v Walter L Couse & Co*, 179 Mich App 204, 208; 445 NW2d 204 (1989). Extensive litigation over venue shall be discouraged, but the trial court may hold an evidentiary hearing if needed to resolve a factual dispute related to venue. We do not retain jurisdiction. This order is to have immediate effect. MCR 7.215(F)(2).


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

May 17, 2021

Date


Chief Clerk